

REPORTS ANALYSIS REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: October 4, 2005

ANALYST: Leah S. Palmer

I. COMMITTEE: Socas for Congress
C00399345
Andrew T. O'Dell, Treasurer
1223 Ballantrae Lane
McLean, VA 22101

II. RELEVANT STATUTE: 11 CFR §104.3(a)(4)(iv)
11 CFR §100.33
11 CFR §400.40(a)
11 CFR §400.22(b)
11 CFR §400.24(b)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Original Source of Candidate Loans)

2004 October Quarterly Report

Socas for Congress ("the Committee") filed its 2004 October Quarterly Report on October 15, 2005. The report disclosed a loan from the candidate in the amount of \$43,000.00 on Line 13(a) (Loans Made or Guaranteed by the Candidate) of the Detailed Summary Page (Image 24981354521). The loan was also disclosed on Schedule A (Itemized Receipts) with a receipt day of September 27, 2004 (Image 24981354744) and on Schedule C (Loans) (Image 24981354840).

On March 17, 2005, an RFAI referencing the 2004 October Quarterly Report was sent to the Committee. The RFAI asked, among other issues, for clarification regarding the candidate loan received by the Committee. Specifically, it asked that the Committee highlight if the candidate used personal funds or borrowed the money from a lending institution (Image 25038761094).

No further clarification was ever provided by the Committee regarding the source of the loan.

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2004 30 Day Post General Report

On December 3, 2004, the Committee filed its 2004 30 Day Post General Report disclosing loans from the candidate in the amount of \$174,752.00 on Line 13(a) (Loans Made or Guaranteed by the Candidate) of the Post-Election Detailed Summary Page (Image 24981715206). Schedule A (Itemized Receipts) disclosed a \$150,000.00 loan with a receipt date of October 25, 2004 and a \$24,752.00 loan with a receipt date of November 11, 2004 (Image 24981715223).

On March 10, 2005, the Reports Analysis Division (RAD) sent a Request for Additional Information (RFAI) to the Committee referencing the 2004 30 Day Post General Report. The RFAI requested that the Committee provide a Schedule C to support the amount reported on Line 13(a) of the Detailed Summary Page. The RFAI also asked for clarification regarding the source of the loans and whether they were from personal funds or from a banking institution (Image 25038751859).

No further clarification has been forthcoming from the Committee regarding the loans or missing Schedules.

Millionaire Provision Reporting Problems (Failure to File 24-Hour Notice of Expenditures from Candidate's Personal Funds)

On July 14, 2004, the Committee filed the 2004 July Quarterly Report covering the period from April 1, 2004 through June 30, 2004. The report disclosed one Candidate loan of \$141,000.00, from personal funds¹, designated for the 2004 General Election (Image 24961803703) (Attachment 2).

On October 15, 2004, the Committee filed the 2004 October Quarterly Report (Image 24981354519) covering the period from July 1, 2004 through September 30, 2005. The report disclosed one candidate loan in the amount of \$43,000.00 and designated for the 2004 General Election (Image 24981354840).

On October 21, 2004, the Committee filed the 2004 12 Day Pre-General Report covering the period from October 1, 2004 through October 13, 2004 (Image 24971887086). The report disclosed two candidate loans, from personal funds, totaling \$127,700.00 and designated for the 2004 General Election. The Committee received a \$65,000.00 loan on October 12, 2004, and a \$62,700.00 loan on October 13, 2004 (Image 24971887140 and 24971887141).

On December 3, 2004, the Committee filed the 2004 30 Day Post-General Report covering the period from October 10, 2004 through November 22, 2004. This report disclosed two loans on Schedule A supporting Line 13(a) (Loans Made or Guaranteed by the Candidate) totaling \$174,752.00 and designated for the 2004 General Election. The Committee received the first loan of \$150,000.00

¹ Committee noted within their Amended July Quarterly, filed on September 9, 2005, that the loan of \$141,000.00 was from the candidate's personal funds (Image 24971434915).

on October 25, 2004². The Committee received the second loan of \$24,752.00 on November 17, 2004.

On October 28, 2004, the Committee filed a FEC FORM 10 disclosing \$150,000.00 in expenditures from the Candidate's personal funds and a Total Expenditures Election Cycle to Date figure of \$499,000.00 (Image 24038603999).

On June 29, 2005, the RAD Campaign Finance analyst attempted to contact Mr. Socas at his home regarding all outstanding reporting issues³. The analyst left a message on the answering machine stating that it was important that the candidate return the telephone call and that if the analyst did not hear from him, all outstanding reporting issues would be referred to the Commission's Office of General Counsel (Attachment 3).

On July 21, 2005, an RFAI referencing the 30 Day Post-General Report, received on December 3, 2004, was sent to the Committee. The RFAI noted that the Committee had failed to file a 24 Hour Notice of Expenditures from Candidate's Personal Funds (FEC FORM 10) in order to report the receipt of expenditures from the Candidate's personal funds after surpassing the \$350,000.00 threshold amount (Image 25038851393).

On September 28, 2005, the Campaign Finance analyst again attempted to contact Mr. Socas in an attempt to obtain a viable contact number for Treasurer of the Committee and also to discuss outstanding reporting issues. The Analyst left a message for Mr. Socas at his work number asking that he return the call as quickly as possible (Attachment 3).

To date, no further communication has been received from the Committee regarding this matter.

² This loan brought the total sum secured by the Candidate for the 2004 General Election to \$461,700.00; thereby exceeding the reporting threshold of \$350,000.00 for a principal campaign committee for the House of Representatives.

³ The Analyst initially attempted to contact the Treasurer, Andrew O'Dell, at the phone number provided on the Committee's FEC Form 1. That number was disconnected and further investigation for a valid contact number for Mr. O'Dell was unsuccessful. However, a phone number was found for the candidate.

SOCAS, JAMES ROBERT

ID #H4VA10048

SOCAS FOR CONGRESS
ANDREW T O'DELL
FILING FREQUENCY: QUARTERLY

1223 BALLANTRAE LN

MCLEAN

HOUSE
VA 22101

ID #C00399345

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
1		N		4/16/2004	5	24038371593						
MS		4		10/19/2004	2	24962566701						
MS		4		10/21/2004	2	24981414184						
MS		4		10/25/2004	2	24962707792						
MS		4		10/27/2004	2	24962718238						
MS		X		10/28/2004	2	24038603999						
RQ	Q2	2		8/10/2004	5	24038493681	3/01/2004 6/30/2004					
RQ	Q3	2		3/17/2005	6	25038761094	7/01/2004 9/30/2004					
RQ	12G	2		3/10/2005	6	25038751853	10/01/2004 10/13/2004					
RQ	30G	2		3/10/2005	4	25038751859	10/14/2004 11/22/2004					
RQ	30G	2		7/21/2005	3	25038851393	10/14/2004 11/22/2004					
RQ	YE	7		2/16/2005	2	25038740924	11/23/2004 12/31/2004					
Q2	N	P		7/14/2004	215	24961803703	3/01/2004 6/30/2004	0	404990	80929	324061	141000
Q2	A	P		9/09/2004	216	24971434700	3/01/2004 6/30/2004	0	404990	80929	324061	141000
Q3	N	P		10/15/2004	322	24981354519	7/01/2004 9/30/2004	324061	161437	330339	155159	184000
12G	N	P		10/21/2004	56	24971887086	10/01/2004 10/13/2004	155159	142989	127497	170651	311700
30G	N	P		12/03/2004	61	24981715203	10/14/2004 11/22/2004	170651	201782	382329	9895-	311700
TOTAL									911198	921094		

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FILING FREQUENCY: QUARTERLY

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
RQ	Q1	7		5/02/2005	2	25038804611	1/01/2005 3/31/2005					
RQ	Q2	7		8/02/2005	2	25038880458	4/01/2005 6/30/2005					
TOTAL										0	0	

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Socas for Congress (C00399345)
Candidate Expenditures from Personal Funds for 2004 General Election

Expenditure Amount	Schedule C Provided	Type of Expenditure	Receipt Date Listed On Report	Report Which Loan is Disclosed On	Aggregate Total for General Election	Additional Personal funds aggregating > \$10,000.00 past threshold and Requiring Form 10	Form 10 Filed?	Date Form 10 Filed	Number of Days Late
\$141,000.00	YES	Loan/Personal Funds	6/29/04	Q2 2004	\$141,000.00	No	N/A	N/A	N/A
\$43,000.00	YES	Loan	9/27/04	Q3 2004	\$184,000.00	No	N/A	N/A	N/A
\$65,000.00	YES	Loan/Personal Funds	10/12/04	12G 2004	\$249,000.00	No	N/A	N/A	N/A
\$62,700.00	YES	Loan/Personal Funds	10/13/04	12G 2004	\$311,700.00	No	N/A	N/A	N/A
\$150,000.00	NO	Loan	10/25/04	30G 2004	\$461,700.00	Triggering amount Form 10 Required	Yes	10/28/04	2
\$24,752.00	NO	Loan	11/17/04	30G 2004	\$486,452.00	Yes	No	Not filed	Not Filed